

REMARKS/ARGUMENTS

Claims 29-42 are pending in this application with Claim 29 being amended. Claims 1-28 were previously cancelled, without prejudice, per the Preliminary Amendment filed October 6, 2006.

Applicants acknowledge that Claims 35-42 would be allowable if amended into independent form including all of the limitations of the base claim and any intervening claim. However, Applicants wish to pursue the independent Claim 29 for the reasons cited below.

Claims 29-34 are being rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,826,359 (Thalenfeld, et al., hereinafter “Thalenfeld”). The Examiner asserts that:

The patent to Thalenfeld et al. teaches an adapter for attaching an electronic shelf label to a blister hook, the adapter having a housing (31) in which the shelf label is insertable or is inserted, and a suspension device (123) pivotally mounted to the housing, for suspending the housing on a cross-strut provided on the free end of a cantilever of the blister hook (12); and wherein the suspension device is a yoke (60, 62) that is connected to the housing and wherein the yoke has formed thereon at least one two pliable sleeves (58, 68) having a connecting web (64) formed in between which in an open condition has a free end that is adapted to be placed around the cross-strut and to be snap-locked onto the yoke and wherein the sleeves has on its free end a hook wherein an opening is provided between the at least one pliable sleeve and extends as far as to a connecting web.(Office Action, dated Nov. 24, 2008, pp. 2-3)

However, Applicants respectfully disagree for the following reasons.

Figs. 5-7 of Thalenfeld discloses a blister hook label apparatus 123 that couples to a cross arm 24 of a label support 17 using a pair of clip portions 58. Hard-attached to the clip portions 58/68 is another cross arm 62 (see Figs. 5-6) to which the flat panel 31 (containing the sales information) is pivotally-connected using a clip portion 38. The Examiner asserts that the apparatus 123 is a suspension device that is pivotally mounted to the housing (i.e., the flat panel) 31 which is incorrect. Rather, the apparatus 123 comprises a flat panel 31 that is pivotally mounted to the cross

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arm 62 of the suspension device 123. In other words, the housing (i.e., the panel 31) is pivotally mounted to the suspension device 123, rather than the suspension device being pivotally mounted to the housing (i.e., the panel 31), as specified in Claim 29. In particular, as can be seen in Figs. 1-3 of the present application, the yoke elements 32a/32b are pivotally coupled to the housing 30. Furthermore, as explained on page 6, second paragraph of the present application, the pliable sleeve 34 does not “snap lock” onto the cross-strut 24 but rather a free end hook 46 lockingly engages with a mating hook 48 on the yoke 32. In contrast, the retaining clips 58/68 of Thalenfeld snap lock onto the cross bar 24 (Thalenfeld, col. 5, lines 26-44; Figs. 6-7). To that end, Applicants have amended Claim 29 to more clearly specify that the pliable sleeve is not snap-locked on the cross-strut but is rather closed on itself around the cross-strut. Thus, for all of these reasons, Applicants respectfully submit that Claim 29 is patentable over the art of record.

Claims 30-34 ultimately depend from Claim 29 and are patentable for the same reasons.

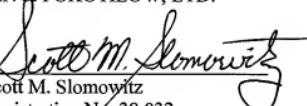
For at least the reasons set forth above, it is respectfully submitted that the above identified application, including claims 29-42, are in a condition for allowance. Thus, reconsideration and withdrawal of the Examiner’s rejections and objections to the claims, and a Notice of Allowance, are respectfully requested.

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Should the Examiner believe that anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,

CAESAR, RIVISE, BERNSTEIN,
COHEN & POKOTILOW, LTD.

By 
Scott M. Slomowitz
Registration No. 39,032
Customer No. 03000
(215) 567-2010
Attorneys for Applicants

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